

CITY COUNCIL, CITY OF LODI
 CARNEGIE FORUM, 305 WEST PINE STREET
 WEDNESDAY, JUNE 19, 1991
 (ADJOURNED TO THURSDAY, JUNE 20, 1991)
 7:30 P.M.

ROLL CALL	<p>Present: Council Members - Pennino, Pinkerton, Sieglock, Snider (arrived 9:25 p.m.), and Hinchman (Mayor)</p> <p>Absent: Council Members - None</p> <p>Also Present: City Manager Peterson, Assistant City Manager Glenn, Public Works Director Ronsko, City Attorney McNatt, and City Clerk Reimche</p>
INVOCATION	The invocation was given by Pastor Jim Berner, Redeemer Lutheran Church.
PLEDGE OF ALLEGIANCE	The Pledge of Allegiance was led by Mayor Hinchman.
PRESENTATIONS	There were no presentations, awards or proclamations presented at this meeting.
CONSENT CALENDAR	<p>In accordance with report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Pinkerton, Sieglock second, approved the following items hereinafter set forth.</p> <p>Agenda items #E-11 entitled, "Concession contract with Boosters of Boys/Girls Sports Organization for use of the Softball Complex and Armory Park facilities," was removed from the agenda.</p> <p>Agenda item #E-13 entitled, "Service Authority for Freeway Emergencies (SAFE) Program," was moved to Regular Calendar.</p> <p>Council Member Pennino abstained from discussion and voting on agenda item E-14, entitled, "Agreement required for replacement of surety firm underwriting the Performance Bond pursuant to interconnection agreement between PG&E and Northern California Power Agency" because of a possible conflict of interest.</p>

CLAIMS CC-21(a)	Claims were approved in the amount of \$1,476,908.23.
MINUTES	The Minutes of May 15, 1991 (Regular Meeting) and May 28, 1991 (Adjourned Regular Meeting) were approved as written.

DESTRUCTION OF RECORDS
RETAINED BY CITY CLERK'S OFFICE

RESOLUTION NO. 91-104

CC-6 The City Council adopted Resolution No. 91-104 approving
CC-300 destruction of certain files retained by the City Clerk's
 office.

Section 34090 of the State of California Government Code provides for the destruction of certain City records that are over two years old and are no longer required with the approval of the legislative body by resolution and the written consent of the City Attorney.

The City Attorney has given his written consent to destroy the subject files.

SEASON PARKING PASSES FOR
LODI LAKE PARK, 1301 WEST
TURNER ROAD APPROVED

RESOLUTION NO. 91-105

CC-56 The City Council adopted Resolution No. 91-105 adopting a
CC-300 seasonal parking pass for Lodi Lake Park - \$35.00 for
 non-residents and \$25.00 for residents.

The Parks and Recreation Department has received numerous requests for a seasonal parking pass to Lodi Lake. In responding to these requests, a survey was conducted of other areas and it was determined that a seasonal pass was provided in all areas surveyed. The Parks and Recreation Commission, in its June 4, 1991 meeting, reviewed these various fee schedules and voted 3-1 to initiate a seasonal pass for Lodi Lake Park. The recommended rate was \$35.00 for non-residents and \$25.00 for residents. The dissenting vote, cast by Bob Johnson, was due primarily to his wanting the seasonal pass to go for a higher fee. The Commission heard a proposal by Parks Superintendent Scott Essin to create a \$15.00 pass for handicapped. The lower fee for handicapped was rejected as the Commission felt the \$25.00 fee a fair break for all Lodi citizens who are frequent users of the Park.

TRANSFER AND APPROPRIATIONS OF FUNDS

RESOLUTION NO. 91-106

CC-21(a) The City Council adopted Resolution No. 91-106 approving
CC-300 the year-end transfer and appropriations of funds.

The City Council was advised that a review of the 1990-91 fiscal year estimated revenues and appropriations indicates

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the City will have sufficient funds to transfer this amount into standing reserve funds. This appropriation falls within the City's expenditure limits for the 1990-91 fiscal year.

SPECIFICATIONS AND ADVERTISEMENT
FOR BIDS FOR PURCHASE OF 15-KV
CONCENTRIC NEUTRAL CABLE

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for the purchase of 30,000 feet of #2 Aluminum, 15-kv, concentric neutral, jacketed cable.

This high voltage cable will be used in the installation of electric distribution systems in subdivisions and other developments expected to be under construction in late 1991 and early 1992. Due to lead time of 30+ weeks, from placement of order, it is necessary to bid and purchase this material at this time to meet the anticipated construction period.

The bid opening has been set for Tuesday, July 23, 1991.

SPECIFICATIONS AND ADVERTISEMENT
FOR BIDS FOR PURCHASE OF POLE-MOUNTED
TRANSFORMERS APPROVED

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for the purchase of 14 circuit protected and 11 conventional pole-mounted transformers of various ratings.

The transformers will be installed as replacement for PCB-contaminated units and will replenish the Department's inventory.

The bid opening has been set for Tuesday, July 23, 1991.

SPECIFICATIONS APPROVED FOR
PAD-MOUNTED TRANSFORMERS

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for the purchase of 38 single-phase and 2 three-phase padmounted transformers of various ratings.

The transformers will primarily be used in the installation of electric distribution systems in subdivisions expected to be under construction in late 1991 and early 1992. Due to lead time of approximately 25 weeks, from placement of order, it is necessary to bid and purchase this material at this time to meet the anticipated construction period. Two of the transformers are for replenishment of the Department's inventory.

The bid opening has been set for Tuesday, July 23, 1991.

SPECIFICATIONS APPROVED FOR
CLASS 3 WOOD UTILITY POLES

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for the purchase of 123 Class 3 Wood Utility Poles.

These poles are needed in conjunction with the wood pole testing contract awarded by the City Council on May 15, 1991.

Poles in five lengths are included in this bid:

<u>Length</u>	<u>Quantity</u>
35-foot	10
45-foot	60
50-foot	36
55-foot	10
65-foot	7
Total	<u>123</u>

The bid opening has been set for Tuesday, July 9, 1991.

AWARD OF BID FOR PURCHASE
OF WATTHOUR METERS

RESOLUTION NO. 91-107

CC-12(d) The City Council adopted Resolution No. 91-107 awarding the
CC-47 bid for the purchase of 672 watthour meters to the low
CC-300 bidder, Maydwell & Hartzell, Inc., of Brisbane, California.

The purchase price is \$20,661.68.

The City Council was advised that on May 15, 1991, the City Council authorized advertisement for bids for 672 watthour meters. Four bids were received, and opened on June 4, 1991.

<u>Bidder</u>	<u>Amount</u>
Maydwell & Hartzell, Brisbane	\$20,661.68
Westinghouse, Electric, Concord	21,234.23
GE Supply, Martinez	22,543.92
Ace Supply Co., Emeryville	29,944.05

The meters will be purchased to maintain an inventory for installation at new developments, and for replacement of obsolete and deteriorated meters located during meter testing.

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ITEM REMOVED FROM AGENDA

AGENDA ITEM #E-11 - "CONCESSION
CONTRACT WITH BOOSTERS OF BOYS/GIRLS
SPORTS ORGANIZATION FOR USE OF THE
SOFTBALL COMPLEX AND ARMORY PARK
FACILITIES" WAS REMOVED FROM AGENDA

STATE-LOCAL ENTITY MASTER AGREEMENT
FOR STATE-LOCAL PARTNERSHIP PROGRAM
AND PROGRAM SUPPLEMENTS TO STREET
IMPROVEMENT AGREEMENTS FOR MILLS AVENUE,
LODI AVENUE TO ELM STREET, AND SACRAMENTO
STREET, LOCKEFORD STREET TO TURNER
ROAD APPROVED

RESOLUTION NO. 91-108

CC-7(f)
CC-300

The City Council adopted Resolution No. 91-108 approving the State-Local Entity Master Agreement No. SLTPP-5154 for State-Local Partnership Program and Program Supplement Nos. 001 and 002 covering street improvements to Mills Avenue, Lodi Avenue to Elm Street and Sacramento Street, Lockeford Street to Turner Road, respectively, and authorized the City Manager and City Clerk to execute the Agreements on behalf of the City.

The Master Agreement covers the use of the State-Local Partnership Program Funds as provided by Section 2600 et seq. of the Streets and Highway Code for eligible City projects. Under this program, the City could receive up to 50% of the construction engineering and contingency costs of a project; however, the State computes a pro rata share of the funds available so that each eligible project will receive the same ratio of State share funding. The share will vary from year to year depending on the number of eligible projects submitted by local agencies. The City will be using these funds on three projects this year. The program supplements being approved with the Master Agreement cover two of these projects. The State share funds for Sacramento Street amount to \$51,253 and for Mills Avenue \$18,202. This is approximately 20.25% of the total contract. The State has very specific requirements regarding what local agencies use as matching funds. The City will be using TDA Funds for these State-Local Partnership Program projects. The TDA Funds are an allowable matching fund.

AGREEMENT REQUIRED FOR REPLACEMENT
OF SURETY FIRM UNDERWRITING THE
PERFORMANCE BOND PURSUANT TO
INTERCONNECTION AGREEMENT BETWEEN
PG&E AND NORTHERN CALIFORNIA POWER AGENCY

RESOLUTION NO. 91-110

COUNCIL MEMBER PENNINO ABSTAINED FROM DISCUSSION AND VOTING
ON THIS AGENDA ITEM

CC-7(j)
CC-300

The City Council adopted Resolution No. 91-110 approving
"General Agreement of Indemnity" and "Bill Guaranty Bond"
to Pacific Gas & Electric Company and authorized the City
Manager and City Clerk to execute the agreements in the
form requested by NCPA.

The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Sieglock, and
Hinchman

Noes: Council Members - None

Absent: Council Members - Snider

Abstain: Council Members - Pennino

The City Council was informed that NCPA has requested
execution of the subject documents to reflect the fact that
the Firemen's Insurance Company issue the bond at a reduced
fee providing the same level of bonding formerly available.

The Performance Bond required under the NCPA
Interconnection Agreement with the Pacific Gas & Electric
Company was reduced from a \$25 million bond to a
\$12,500,000 bond. In the past, two companies had each
provided half of the required bond.

The Firemen's Insurance Company has agreed to provide the
bond for a fee of \$62,500. This represents a \$25,000
savings from the fee charged by the two former companies
providing the same level of bonding.

However, each time the bonding company is changed, NCPA is
required to obtain new documentation from each
Interconnected member. This documentation is substantially
the same as that required in the past and has been reviewed
by the NCPA General Counsel.

Expeditious handling of this matter will help ensure our
ability to maintain the bond in compliance with the
provisions of the Interconnection Agreement.

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CONTRACT CHANGE ORDER -
WHITE SLOUGH WATER POLLUTION
CONTROL FACILITY CAPACITY
EXPANSION IMPROVEMENTS,
12751 NORTH THORNTON ROAD

CC-90

This information was given to the City Council in accordance with the Contract Change Order Policy approved by Resolution 85-72. One of the requirements of this policy is that staff inform the City Council of all change orders in excess of \$25,000. Contract Change Order #4, approved by the City Manager, was in the amount of \$80,215 which is .83% of the contract. This Change Order includes modifications to the Headwork's influent distribution box, the Headwork's Building, the Chlorine Building, and the Control Building; replacement of galvanized grit hopper with a stainless steel grit hopper; rerouting of the electrical duct work; and other miscellaneous work. A summary of the description of work was presented for City Council review. The time of completion was not affected by this Change Order.

One item listed on the Change Order was caused by an error on the Engineers' part and they have agreed to reimburse the City \$11,243.

The total cost of all change orders to date including Change Order #4, is \$269,225 or 2.8% of the contract. The original contract price was \$9,681,218. The contract price including change orders is \$9,950,443.

KETTLEMAN LANE (STATE HIGHWAY 12)
AND HUTCHINS STREET TRAFFIC STUDY
PROGRESS REPORT

CC-48(a)

The City Council was advised that as requested by City Council at the April 17 meeting, the Public Works staff has met with ARCO and Caltrans representatives regarding the installation of medians at the intersection of Kettleman Lane (State Highway 12) and Hutchins Street.

The City proposal was to install a painted median with raised "bumpers" adjacent to the intersection. Caltrans would only approve a standard raised median and wanted it installed from Crescent Avenue to Pleasant Avenue. This would be a major project and staff recommended that a decision be deferred until a complete study of Kettleman Lane is done next year.

The major concern ARCO representatives have with a raised median on Hutchins Street is whether their fuel trucks will be able to access the underground tanks in a manner that is consistent with safe fuel unloading procedures. Staff is

reviewing their on-site plan and will be working with ARCO staff on resolving this issue.

ARCO is attempting to acquire an access easement north of their existing driveway in order to widen the driveway, allow better fuel truck access from the north, and allow more on-site vehicle stacking. Staff will monitor ARCO's progress on this item.

ARCO also indicated that signs and markings can be installed on-site to control access and improve circulation; although past experience has indicated that all drivers do not obey these markings. Staff agrees that these unenforceable markings will have little effect on movement through the lot, although they may help direct drivers and if ARCO is willing to install them, that is fine.

Earlier, the Police Department requested a minor addition of red curb on Kettleman Lane between the ARCO driveways. This would assist in enforcement relating to vehicles stopped on Kettleman Lane waiting to enter the station. With Council direction, staff will pursue the necessary Caltrans approval.

MOKELUMNE RIVER WATER QUALITY MONITORING STUDY

CC-6

The City Council accepted the Final Report on Monitoring of the Mokelumne River and approved future monitoring as described below:

The Mokelumne River is one of three major sources of recharge to Lodi's groundwater system; therefore, it's water quality is of interest to the City. The City Council requested a study to determine what water quality monitoring of the Mokelumne River would be beneficial. In September 1990 Brown and Caldwell Consulting Engineers were retained to do a monitoring study.

The final report summarizes water quality in the Mokelumne River from existing East Bay Municipal Utility District (EBMUD) and a U.S. Geological Survey (USGS) data. The conclusion of this study is that there is "no apparent need to monitor the Mokelumne River...with the possible exception of trihalomethane formation potential (THMFP)".

The Public Works Department, therefore, recommended that the City collect future monitoring data from existing EBMUD and USGS sources. Staff also recommended that the City conduct only two rounds of THMFP monitoring and then evaluate the results to determine if more should be done.

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ACCEPTANCE OF IMPROVEMENTS
UNDER ZUPO FIELD BACKSTOP AND
FENCING, 350 NORTH WASHINGTON
STREET, CONTRACT

CC-90

The City Council accepted the improvements under the "Zupo Field Backstop and Fencing" contract, and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to Scrimsher and Mineni Construction of Modesto on January 2, 1991 in the amount of \$35,921.39. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was July 8, 1991, and the actual completion date was June 10, 1991. The final contract price was \$43,897.23. The difference between the contract amount and the final contract price is mainly due to a redesign of the backstop to reduce the size of the posts.

ACCEPTANCE OF IMPROVEMENTS AT
ALMONDWOOD PLACE, TRACT NO. 2410
BOUNDED BY 420 EAST ALMOND DRIVE
ON THE WEST AND 452 EAST ALMOND DRIVE
ON THE EAST

RESOLUTION NO. 91-111

CC-46
CC-300

The City Council adopted Resolution No. 91-111 accepting the subdivision improvements included in Almondwood Place, as filed on September 12, 1990, in Volume 30, Page 67, Book of Maps and Plats, San Joaquin County Records.

Improvements in Almondwood Place have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Almondwood Place Joint Venture dated September 5, 1990, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Almond Drive	0.00
TOTAL NEW MILES OF CITY STREETS	0.00

FEDERALLY MANDATED RETIREMENT
SYSTEM FOR PART-TIME EMPLOYEES

RESOLUTION NO. 91-112

CC-34
CC-300

The City Council adopted Resolution No. 91-112 directing the City Manager to explore and select a qualified retirement program for all employees not covered by Public Employees Retirement System (PERS).

The federal government, as part of its budget balancing measures last fall, mandated that all state and local governmental employees must participate in a retirement plan. If the local agency does not include part-time or temporary employees in a plan, they must be enrolled in Social Security.

Currently the City of Lodi is not required nor does it enroll part-time employees in PERS. As a matter of fact, the City's contract with PERS does not allow part-time employees to be a member. There is legislation now being proposed that would allow this, but there are drawbacks to that method of meeting our requirements.

There are some other alternatives to meeting our requirements other than Social Security. One option is a program by Public Agency Retirement Systems (PARS) a joint powers agency which will offer a program at significantly less cost than Social Security. Another option is to enroll our part-time employees in a deferred compensation plan much like the one we offer our full-time employees.

All of the options are being explored and considered. We believe there are cost effective alternatives to Social Security. Of course, the best alternative will be one which offers the employee a secured retirement plan and provides the City with the most cost effective program which meets the needs of the employee and the legislation.

We are bringing this to the attention of the City Council to advise them of this legislative requirement and the alternatives available.

Action must be taken by July 2, 1991. However, final regulations have not been promulgated. Until these regulations are issued, we do not know which alternative would be the best.

The Internal Revenue Service (IRS) has issued interim regulations. The regulations do give employers some breathing room; they have until the end of 1992 to retro-actively establish a retirement program. The employer, however, must give indications that:

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- 1) It is reasonable to believe a qualified program will be established.
- 2) Affirmative steps be taken to support this belief.
- 3) The program must be put into effect by the end of 1992.
- 4) It must cover employees retro-actively to July 2, 1991.

Beginning July 2, 1991 the City will begin deducting an additional 6.2% from the salaries of part-time employees. This is the amount necessary to cover the cost of the OASDI portion of Social Security. If an alternate, less expensive, plan is selected, the difference will be refunded to the part-time employee.

COMMENTS BY CITY COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

PRESENTATION MADE TO ASSISTANT CITY MANAGER

A presentation was made to Assistant City Manager Glenn by Council Member Pennino acknowledging with appreciation Mr. Glenn's work on the City's budget.

COUNCIL MEMBER MEETS WITH VARIOUS DEPARTMENT HEADS

Council Member Sieglock spoke about recent meetings he had with a number of City Department Heads, Parks and Recreation Director Ron Williamson, Chief of Police Floyd Williams, and Finance Director Robert Holm and expressed his appreciation in being able to learn more about each of these departments.

COMMUNITY URGED TO ATTEND "CELEBRATE AMERICA"

Mayor Pro Tempore Pinkerton invited the citizens of this community to join in the "Celebrate America" celebration being held from 6:30 p.m. to 8:30 p.m., July 3, 1991 at Hutchins Street Square. Mayor Pro Tempore Pinkerton challenged all veterans to put on their uniforms and attend.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

ANNUAL BOAT RACES AND FOURTH
OF JULY HOLIDAY EVENTS ANNOUNCED

Parks and Recreation Director Ron Williamson invited the community to attend the boat races being held at Lodi Lake June 29 and 30, 1991. Mr. Williamson also invited the community to a full day of activities being held at Lodi Lake Park on the 4th of July.

PUBLIC HEARINGS No public hearings were scheduled for this meeting.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of June 19, 1991:

CC-35 The Planning Commission -

The following actions were taken at the last regular Planning Commission meeting of June 10, 1991.

- a. Conditionally approved the request of Marlon DeGrandmont for a Use Permit to place two pool tables in an existing cafe business at 1321 Lakewood Mall in an area zoned C-S, Commercial Shopping.
- b. Conditionally approved the request of Dillon Engineering on behalf of D and D Properties and Pacific Coast Producers for a Tentative Parcel Map to create two lots from one lot at 811 North Cluff Avenue (APN 049-040-02) in an area zoned M-2, Heavy Industrial.
- c. Conditionally approved the request of Del G. Smith on behalf of Wine and Roses Country Inn for a Tentative Parcel Map to realign the parcels at 2505 and 2525 West Turner Road (APN's 015-230-05, 20, 21 and 24) in an area zoned C-1, Neighborhood Commercial.
- d. Accepted withdrawal of the request of Anthony Canton for a Tentative Parcel Map to create two lots from one lot at 208 East Oak Street (APN 043-064-02) in an area zoned R-1*, Single-Family Residential - Eastside.
- e. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc. on behalf of Charles Wentland for approval of a 1-lot office condominium at 801 South Ham Lane (APN 033-040-08) in an area zoned R-C-P, Residential-Commercial-Professional.

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- f. Accepted withdrawal of the request of Jim Thorpe Oil, Inc. for a Use Permit to install a temporary security trailer at 807 Black Diamond Way in an area zoned M-2, Heavy Industrial.
- g. Approved the request of Industrial Way Developers for a Use Permit to construct a 1260 square foot living unit for a residence manager in existing Building 2 of the proposed AA Mini-Storage at 1025 Industrial Way in an area zoned M-1, Light Industrial.
- h. Heard a presentation from Dave Cooper, Central Valley Cinemas, Inc. concerning the proposed renovation of the Sunset Theater into three theaters and indicated that the developers should have additional traffic data and neighborhood input.

COMMUNICATIONS
(CITY CLERK)

ALCOHOLIC BEVERAGE CONTROL
LICENSE APPLICATIONS

- CC-7(f) City Clerk Reimche presented the City Council with the following applications received for Alcoholic Beverage Control licenses:
- a) Chow, Feng T., Brother House, 429 West Lockeford Street, Lodi, On Sale Beer and Wine Eating Place, Original License
 - b) Singh, Jyoti S. and Satbir K., Aldee Market, 216 North Cherokee Lane, Off Sale Beer and Wine, Person to Person Transfer

APPOINTMENTS AND REAPPOINTMENTS
TO VARIOUS CITY OF LODI BOARDS
AND COMMISSIONS

- CC-2(a) On motion of Council Member Snider, Sieglock, the City
 CC-2(d) Council concurred with the following Mayors appointments
 CC-2(g) and reappointments to various City of Lodi Boards and
 CC-2(i) Commissions:
 CC-2(k)
 CC-2(k)

APPOINTMENTS

Lodi Arts Commission

Pamela Van Fleet three-year term expiring July 1, 1994
 appointment to become effective July 1, 1991

Lodi Senior Citizens Commission

Terry Whitmire

four-year term expiring December 31,
1991

REAPPOINTMENTS

Library Board of Trustees

Milton Bergantz
Leonard A. Humphreys

three-year term expiring June 30, 1994
three-year term expiring June 30, 1994

Lodi Arts Commission

Don Levy
Raquel Thompson
Kathleen Manwaring
Reverend Harmon D. Skillin

three-year term expiring July 1, 1994
three-year term expiring July 1, 1994
three-year term expiring July 1, 1994
three-year term expiring July 1, 1994

Planning Commission

Susan Hitchcock
Roger Stafford

four-year term expiring June 30, 1995
four-year term expiring June 30, 1995

San Joaquin Commission on Aging

Dorance Ochs

three-year term expiring June 30, 1994

Site Plan and Architectural Review Committee

Michael Locke

four-year term expiring June 30, 1995

A question was raised as to the legality of the Lodi Public Library retaining bequeathed certificates of stock.

REGULAR CALENDAR

AUTHORITY FOR FREEWAY EMERGENCIES
(SAFE) PROGRAM APPROVED

RESOLUTION NO. 91-109

CC-48(a)
CC-300

The City Council was advised that the Sacramento Area Council of Governments (SACOG) has requested that the County of San Joaquin join forces with six other counties in implementing a regional Service Authority Freeway Emergencies program. The other counties are Sacramento, Sutter, Yolo, Yuba, Placer and El Dorado. The City Council reviewed this topic at its "Shirtsleeve" session of April 16, 1991. At that time Council Member Pennino requested more detailed information on the various cost components of this program.

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The SAFE program provides for the installation of call boxes on interstate highways and state routes within designated areas. A number of counties in California have the program already in place with boxes installed. Funding is provided through a \$1 increase in vehicle registration fees in the area where the service is provided. The call boxes can be used to report accidents or other road emergencies that may create safety hazards. The boxes provide for two-way communication between the caller and the California Highway Patrol.

Ms. Nancy Miller, Associate Planner for the San Joaquin County Council of Governments (COG), addressed the Council regarding the matter and responded to questions regarding the subject as were posed the members of the City Council.

Questions were posed regarding the proposed funding which would be provided through a \$1.00 increase in vehicle registration fees in the area where the service is provided and the fees appropriated to the costs of the project.

Following additional discussion, on motion of Council Member Pennino, Pinkerton second, the City Council adopted Resolution No. 91-109 approving in concept the Freeway Emergencies (SAFE) Program. Staff was asked to monitor this proposed program and report back to the Council on its findings.

AMBULANCE RATE SCHEDULE ADJUSTMENTS

RESOLUTION NO. 91-113

CC-22(d)
CC-300

The City Council was advised that the City Code provides that the City Council "reserves the right to finally determine and fix by resolution, the rates to be charged by the operator of the ambulance service." Mr. Michael N. Nilssen, owner-operator of Lodi Ambulance Service, has, in accordance with the provisions of the City Code, filed with the City a request to amend the ambulance rates charged in the City of Lodi. A copy of the requested new rate schedule was presented for Council review. Also presented was a copy of an order of the County Board of Supervisors and an accompanying Board resolution establishing the County ceiling for ambulance rates. The request of Lodi Ambulance Service is in accordance with the new ceiling.

The rate for Basic Life Support (non-emergency calls such as transferring a patient from one hospital to another) would increase by approximately 12%. The Basic Life Support rate for emergency calls would increase by approximately 35%. The current Basic Life Support rate includes the emergency rate, and according to data gathered by the County of San Joaquin's Emergency Medical Services

Agency, this was not sufficient to cover costs. The Advance Life Support rate would also be increased by approximately 12%. This charge is made when medical treatment is required during the transportation to the hospital of a seriously ill or injured person. The other rates would be increased as follows: Night Call, 10%; Oxygen, 12%; and Mileage, 11%. The new rates would be effective the day following City Council action. The rate ceilings established by the Board of Supervisors are based on a number of factors. These include data gathered in a State-wide survey of fees in other areas; an analysis of Medicare reimbursement rates; the ambulance company's financial statements; and an internal audit of each company's operating procedures, pay scales, equipment, and other factors.

All of the other ambulance companies in the County have filed requests with the Board of Supervisors to implement the same new rate schedule at the ceiling established by the Board. The City of Lodi is the only City in the County which requires City Council review and approval of ambulance rate schedules. The ambulance company has requested that the City of Lodi consider transferring this authority to the County and this matter will be the subject of a "Shirtsleeve" meeting this fall. Staff has no problem with this request.

LIFE MEDICAL INDUSTRIES, INC.

	PROPOSED RATES (to be implemented 06-21-91)	EXISTING RATES (06-01-90)
ALS Base Rate	\$470.00	\$420.00
BLS Base Rate	\$265.00	\$236.00
Emergency	\$ 55.00	-
Night	\$ 55.00	\$ 50.00
Oxygen	\$ 37.00	\$ 33.00
Mileage	\$ 10.00	\$ 9.00

Mr. Lewis Meyer of Life Medical Industries, Inc., addressed the City Council regarding the matter and responded to questions as were posed by the City Council.

Following a lengthy discussion, on motion of Mayor Hinchman, Pennino second, the City Council by the following vote adopted Resolution No. 91-113 amending the rate schedule for ambulance service in the City of Lodi as outlined.

Ayes: Council Members - Pennino, Pinkerton, and Hinchman (Mayor), & ~~SIEGLOCK~~ *(Am)**

Noes: Council Members - ~~Sieglock~~ *NONE* *(Am)**

Absent: Council Members - Snider

Prior to future rate reviews by the City Council, staff was directed to join with the County in reviewing the ambulance company's financial statements.

HAROLD DIXON FLYNN APPOINTED
CITY TREASURER

RESOLUTION NO. 91-114

CC-6
CC-21(a)
CC-34
CC-300

City Manager Peterson advised the City Council that since the adoption of the Council-Manager form of government in the City of Lodi in 1948, the person holding the position of Finance Director has also held the City Council appointed position of City Treasurer. The Treasurer post is a constitutional position required by Government Code Section 36501.

As the City Council is aware, Mr. H. Dixon Flynn has been appointed the City's new Finance Director to replace Mr. Robert H. Holm. Mr. Flynn's starting date is June 24, 1991. Mr. Holm's last day on the job will be July 5, 1991, and he will continue to hold the Treasurer position through that date. The City Manager respectfully requested that the City Council appoint Mr. Flynn to the position of City Treasurer, at no compensation, effective July 6, 1991. The City Council has previously reviewed Mr. Flynn's resume. He brings to the position a sound background in treasury management and is well qualified for this appointment.

On motion of Mayor Pro Tempore Pinkerton, Pennino second, the City Council adopted Resolution No. 91-114 appointing Harold Dixon Flynn to the position of City Treasurer of the City of Lodi.

APPOINTMENT OF CITY OF LODI
REPRESENTATIVE TO COUNCIL OF
GOVERNMENTS (COG) CITIZENS'
ADVISORY COMMITTEE

RESOLUTION NO. 91-115

CC-2(a)
CC-7(n)
CC-300

City Manager Peterson apprised the City Council that the passage by the voters last November of Measure K provided for the establishment of a Local Transportation Authority. By action of the various local governmental agencies in the County of San Joaquin, COG has been so designated. Thus the COG Board of Directors serves as the Local Transportation Authority responsible for the implementation of the Local Transportation Improvement Plan. The Authority receives advice from, among other groups and committees, a Citizens' Advisory Committee. Each city in the County has been asked to appoint a representative to the committee.

On recommendation of Council Member Pennino, the City's representative on the COG Board of Directors, Mayor Hinchman requested City Council concurrence in the appointment of Mr. John Schmidt as the City of Lodi's representative to the Citizens' Advisory Committee. A copy of Mr. Schmidt's application was forwarded to each Council Member.

The City Council on motion of Council Member Pennino, Hinchman second, adopted Resolution No. 91-115 concurring in the appointment of Mr. John Schmidt as the City of Lodi's representative to the Council of Governments (COG) Citizens' Advisory Committee.

PURCHASE AND INSTALLATION OF
PLAYGROUND EQUIPMENT AT CANDY
CANE PARK, 1324 HOLLY DRIVE,
BY SOROPTIMIST INTERNATIONAL OF LODI

CC-27(c)

The City Council was apprised by Parks and Recreation Director Williamson that some time ago he spoke to the Soroptimist Club of Lodi at their luncheon meeting. He indicated the variety of projects local groups were doing to assist the City and meet their service obligation to their international program and the citizens of Lodi. Mr. Williamson indicated that in the mid-1951's, the Soroptimist Club had installed playground equipment at Candy Cane Park, that this equipment was in need of replacement, and asked if the club would be interested in pursuing this project. Shortly after this engagement, he was contacted by Alice Reimche, incoming president of Soroptimist, who very much wanted more information and dollar figures to accomplish this project. Estimate included type of equipment to be installed and installation

Continued June 20, 1991

costs. The project was approved by the Soroptimist's Board of Directors with plans for a two or three year payback.

Mrs. Reimche spoke at the City of Lodi Parks and Recreation Commission Meeting in June. The Soroptimist proposal was warmly accepted and backed 100% by the commission. The project was discussed, the loan agreement considered, and the commission moved to recommend that the concept and request go to the City Council.

The City has had a lot of success doing projects with service clubs in this manner, and support the commission and staff's position in moving this project along to install badly needed new group playground equipment in this park.

Addressing the City Council regarding the matter was Soroptimist International of Lodi President-Elect Alice Reimche.

Following discussion, on motion of Mayor Pro Tempore Pinkerton, Pennino second, the City Council approved the purchase and installation of New Miracle Group Playground Equipment at Candy Cane Park by the Soroptimist International of Lodi, allowing a loan of \$8,000 to the service club with annual paybacks (up to three years) by agreement.

INTRODUCTION OF AN UNCODIFIED
ORDINANCE ADOPTING A REVISED
SCHEDULE OF RATES AND CHARGES FOR
WATER SERVICE AND REPEALING
ORDINANCE NO. 1448

ORDINANCE NO. 1514 INTRODUCED

CC-6
CC-56
CC-149
CC-183(e)

The City Council was advised that the costs associated with providing water service in 1991-92 are \$116,490 more than budgeted for in 1990-91. A recommended increase would provide approximately \$120,000 additional revenue in 1991-92 fiscal year. The City Council was further advised that water rates were last adjusted in March 1989.

Following discussion with questions being directed to staff, the City Council, on motion of Mayor Pro Tempore Pinkerton, Sieglock second, introduced an uncodified ordinance, Ordinance No. 1514 entitled, "An Uncodified Ordinance of the Lodi City Council Adopting a Revised Schedule of Rates and Charges for Water Service and Repealing Ordinance No. 1448".

The motion carried by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock,
and Hinchman (Mayor)

Noes: Council Members - None

Abstain: Council Members - None

Absent: Council Members - Snider

INTRODUCTION OF AN ORDINANCE
IMPOSING A THREE PERCENT SURCHARGE
ON THE CITY'S TRANSIENT OCCUPANCY TAX

ORDINANCE NO. 1515

CC-56
CC-149
CC-177

The City Council was advised by City Attorney McNatt that as part of the City's ongoing evaluation and update of revenue sources, the possibility of increasing the City's Transient Occupancy Tax (TOT) has been discussed. For that purpose, a draft ordinance had been prepared and presented for Council review which increases the TOT from six to nine percent.

It will be noted that the ordinance is drafted in an unusual fashion, leaving intact the existing ordinance which sets the TOT at six percent, and simply adding a surcharge of an additional three percent by way of the new section of the Municipal Code. It was done in this manner because there may be some risk involved in the proposed action.

As the Council may recall, the voters in 1986 approved Proposition 62 (codified as Government Code Sections 53720 through 53730), a measure requiring two-thirds majority voter approval to impose any new special or general tax. In a case called Rider v. County of San Diego (1990) 272 Cal.Rptr. 857, the Fourth District Court of Appeal held that Proposition 62 conflicted with California Constitution Article II, Sections 9 and 11, which in essence say that the voters power of referendum does not apply to matters of "... tax levies or appropriations for usual current expenses of the (city)." The Rider court viewed Proposition 62 as a referendum on taxes.

Other courts have also invalidated parts of Proposition 62 (e.g., City of Westminster v. County of Orange (1988) 251 Cal.Rptr. 511) leading some to believe the measure is dead. However, the California Supreme Court has agreed to review the Rider case and it is at least possible that it could reverse the District Court of Appeal.

In spite of that, a round table discussion at the May 1991 City Attorney's conference shows many cities have chosen to take the risk and increase TOT or other similar revenues on the assumption that Proposition 62 will be declared invalid by the State Supreme Court. If that assumption proves wrong, a new TOT ordinance might be void. That is why the draft ordinance attached is done in the fashion that it is.

If the City Council simply repealed the existing ordinance imposing a six percent TOT (which ordinance predates Proposition 62 and is thus "grandfathered") and replaced it with an entirely new ordinance setting the TOT at nine percent and then Proposition 62 is upheld, we might lose the entire tax. Adding a three percent surcharge would mean that all we risk if Proposition 62 is upheld, is the amount set by the new ordinance. The existing six percent ordinance would remain in place without risk.

Addressing the City Council regarding the matter was:

Evelyn Olson, 1306 Burgundy Drive, Lodi (Mrs. Olson indicated that she not only was representing the Lodi District Chamber of Commerce but herself as a Lodi businesswoman).

Following discussion, with questions being directed to staff, the City Council on motion of Council Member Pennino, Hinchman second, introduced Ordinance No. 1515 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 3.12 - 'Transient Occupancy Tax', by Adding Thereto a New Subsection 3.12.035 Entitled 'Surcharge'". This ordinance will be in force and take effect immediately upon its passage and approval. The City Council asked that this be reviewed next year as to how the 3% is to be used.

The motion carried by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock,
and Hinchman (Mayor)

Noes: Council Members - None

Abstain: Council Members - None

Absent: Council Members - Snider

TRAFFIC RESOLUTION AMENDED
REGARDING SPEED LIMITS ON ELM STREET,
LOCKEFORD STREET, MILLS AVENUE
BETWEEN CENTURY BOULEVARD AND
KETTLEMAN LANE, PINE STREET,
TOKAY STREET AND WOODHAVEN LANE

RESOLUTION NO. 91-116

CC-48(a)
CC-300

The City Council was advised that the Public Works staff has recently updated engineering and traffic studies for 14 streets. These studies are performed following State of California Department of Transportation (Caltrans) guidelines in accordance with California Vehicle Code Section 40802. Based on the Vehicle Code Section 40802, in order to use radar enforcement, it is necessary to conduct engineering and traffic studies every five years on "non-local" streets. "Non-local" streets are the collector and arterial streets shown on the Federal Aid System Maps. The engineering and traffic studies include measurement of prevailing speeds by a radar survey, review of unexpected conditions to the driver and accident data. The speed limits for the 14 streets were previously adopted in July 1986.

There are eight streets that have no changes to existing speed limits and do not need City Council approval. On some of these streets, the number of accidents has decreased from the previous surveys. On those streets, the speed limit was reduced from the 85th percentile based on accident data and/or unexpected conditions. Staff felt this means that the existing speed limit is appropriate and therefore is continuing to maintain the speed limit below the 85th percentile. This occurred on four streets: Church Street between Lockeford Street and Turner Road, Central Avenue between Tokay Street and Railroad Avenue, Holly Drive, and Rutledge Drive.

In the past, City Council has not approved the speed limit based on the engineering and traffic survey on two streets. These streets are Tokay Street between Lower Sacramento Road and Ham Lane, and Mills Avenue between Century Boulevard and Kettleman Lane. They are posted at 25 mph and are not radar enforceable. Past experience has shown the 85th percentile speeds do not change even if the speed zones increase. An example of this is on Church Street between Kettleman Lane and Tokay Street. In 1986, when the posted speed limit was 30 mph, the 85th percentile speeds ranged between 35 and 37 mph. The current survey shows the 85th percentile speeds ranging between 35 and 37 mph even though the posted speed limit is 35 mph.

On Tokay Street, the 85th percentile speeds have remained the same every time it has been surveyed. In 1986, they

Continued June 20, 1991

ranged from 33 to 38 mph; in 1989, they ranged from 34 to 41 mph; and now, they are between 34 and 39 mph. A variation of 1 mph is normal given the relatively small number of vehicles measured.

Similarly, on Mills Avenue, the 85th percentile speeds remained the same since the previous survey.

Table 1

<u>Street - Segment</u>	<u>Posted Speed Limit</u>
Central Avenue	
Kettleman Lane - Tokay Street	30 mph
Tokay Street - Railroad Avenue	25 mph
Cherokee Lane	
South City Limit - Poplar Street	45 mph
Poplar Street - Vine Street	40 mph
Vine Street - Victor Road	35 mph
Victor Road - Pioneer Street	40 mph
Church Street	
Century Boulevard - Kettleman Lane	30 mph
Kettleman Lane - Tokay Street	35 mph
Tokay Street - Turner Road	30 mph
Cluff Avenue	
Lodi Avenue - Victor Road	35 mph
Victor Road - Turner Road	40 mph
Holly Drive	
Mills Avenue - Ham Lane	30 mph
Ham Lane - California Street	30 mph
Hutchins Street	
Harney Lane - Kettleman Lane	45 mph
Kettleman Lane - Tokay Street	35 mph
Tokay Street - Lockeford Street	30 mph
Lockeford Street - Holly Drive	25 mph
Lower Sacramento Road	
South City Limit - Turner Road	45 mph
Rutledge Drive	30 mph

Table 2

<u>Street - Segment</u>	<u>Existing</u>	<u>Recommended</u>
Elm Street		
Lower Sacramento Road - Hutchins Street	35	35
Hutchins Street - Cherokee Lane	30	25
Lockeford Street		
Mills Avenue - Church Street	35	35
Church Street - Cherokee Lane	35	30
Cherokee Lane - East City Limit	35	35
Mills Avenue		
Century Boulevard - Kettleman Lane	25*	30
Pine Street		
Ham Lane - Beckman Road	30	30
Beckman Road - Cluff Avenue	40	35
Cluff Avenue - East City Limit	40	40
Tokay Street		
Lower Sacramento Road - Mills Avenue	25*	35
Mills Avenue - Ham Lane	25*	30
Ham Lane - Hutchins Street	30	30
Hutchins Street - Cherokee Lane	30	25
Woodhaven Lane	30	35

*Not radar enforceable

A lengthy discussion followed with questions regarding the matter being directed to staff.

Council Member Pennino indicated that he would like to defer action on the matter to allow time for citizens public input.

Following additional discussion, on motion of Mayor Pro Tempore Pinkerton, Sieglock second, the City Council adopted Resolution No. 91-116 amending the Traffic Resolution by approving speed limits on Elm Street, Lockeford Street, Mills Avenue between Century Boulevard and Kettleman Lane, Pine Street, Tokay Street, and Woodhaven Lane.

The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Sieglock, and
Hinchman (Mayor)

Noes: Council Members - Pennino

Abstain: Council Members - None

Continued June 20, 1991

Absent: Council Members - Snider

RECESS

The Mayor declared a five-minute recess and the City Council reconvened at approximately 9:15 p.m.

CHEROKEE LANE AT HALE ROAD,
"NO PARKING" ZONE

RESOLUTION NO. 91-117

48(e)
300

The City Council was informed that as requested by City Council at the May 1, 1991 meeting, Public Works staff has performed a sight distance analysis for "No Parking" zones on the east side of Cherokee Lane adjacent to Hale Road.

With continual parking and an accident problem, the analysis would indicate that 145' of "No Parking" south of Hale Road and 40' of "No Parking" north of Hale Road would be needed.

These "No Parking" zones will affect on-street parking at three businesses along Cherokee Lane. North of Hale Road, one of the six existing Cherokee Lane parking spaces in front of the auto sales lot would be eliminated. South of Hale Road, all four of the existing parking spaces in front of the auto sales lot and adjacent three-unit office building would be eliminated. Parking space for three cars will remain on the Hale Road frontage of the auto sales parcel.

The three-unit office building is the only of the affected parcels with on-site parking. One on-site parking space exists on this parcel. One of the three offices at this building is vacant.

Available accident records from 1987 to the present indicate that one of the 22 reported accidents at this intersection may have been related to a sight obstruction, although no mention was made in the accident report. This 1988 accident involved a driver making a left turn exiting from Hale Road that did not see the approaching northbound vehicle. Traffic volumes on Hale Road and Cherokee Lane are 910 and 16,580 vehicles per day, respectively.

Discussion: Field observations made by staff indicate that on-street parking demand along Hale Road is fairly high apparently due to the apartment complex on the north side of the street. On-street parking demand on Cherokee Lane adjacent to Hale Road appears to be varied. Since Council's recommendations at the May 1 meeting, on-street parking appears to have decreased. To date, the Public Works Department has received one formal complaint regarding vehicles parking at this location.

Due to the lack of on-site parking at the affected businesses and the accident history at the intersection, staff is reluctant to recommend the installation of these "No Parking" zones at this time. However, Council may wish to install a shorter "No Parking" zone. A shorter "No Parking" zone immediately south of the crosswalk would increase driver visibility of pedestrians using the crosswalk and improve driver visibility when exiting from Hale Road. Up to 20' of "No Parking" (one stall) can be installed under the direction of the Public Works Director without City Council approval.

FUNDING: If approved, funding for the "No Parking" zone to be provided from the street maintenance account.

Marla Donovan, 827 Lloyd Street, Lodi addressed the City Council regarding the matter and presented the following letter which she had just received from the Lodi Unified School District:

We are now preparing for the new 1991-92 school year beginning Monday, July 1.

You have been reading and hearing about the budget problems in the state and school district and how Heritage might feel the results of the cut-backs.

Transportation is one area that Lodi Unified must cut-back on. There will no longer be bus transportation to Heritage School from the Blakely Park area for kindergarten students, nor from the east side of Cherokee Lane, between hale road and Delores Street, for K-6 students. These changes will take effect on Monday, July 1.

If you have any questions regarding this transportation change, you are invited to an informational meeting on Thursday, June 13, 1991 at 7:00 p.m. in the Heritage School library.

Duane Ostgaard
Principal

A lengthy discussion followed with two motions regarding the matter being made and withdrawn.

On motion of Mayor Hinchman, Pennino second, the City Council adopted Resolution No. 91-117 approving the installation of a "No Parking" zone on the east side of Cherokee Lane adjacent to Hale Road. Attached to the original Resolution No. 91-117 is an exhibit depicting the exact configuration of the "No Parking" zone approved by the City Council (see copy of Exhibit as shown on the next page).

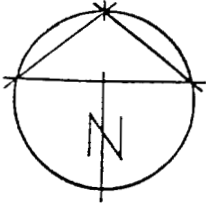


CITY OF LODI

PUBLIC WORKS DEPARTMENT

CHEROKEE LN / HALE RD

NO PARKING ZONE



CHEROKEE LN

HALE RD

58'

AUTO SALES

LEGEND

— NO PARKING ZONE
ADOPTED BY
COUNCIL PER RES.
NO. 91-117

S.B.
6/21/91

CONTRACT AWARD FOR JANITORIAL
SERVICES FOR CITY FACILITIES

RESOLUTION NO. 91-118

CC-12(a)
CC-300

The City Council was advised that specifications for janitorial services were approved by the City Council on June 5, 1991. Bids were opened on June 18, 1991 and four bids were received:

<u>Firm</u>	<u>*Monthly Amount</u>
Korean Building Maintenance Stockton	\$5,950.00
Robert's Building Maintenance Lodi	\$9,815.68
Associate Janitorial Service Stockton	\$15,070.19
Orv's Janitorial Service	**\$525,740.00

*Monthly amount shown includes cost of cleaning Hutchins Street Square Team Room (5 months only).

**Orv's Janitorial total written bid of \$6,308,880.00 was verbally corrected by the contractor at the bid opening to \$630,888.00.

Following discussion, on motion of Mayor Hinchman, Pennino second, the City Council adopted Resolution No. 91-118 awarding the janitorial contract for various City facilities to Korean Building Maintenance for \$70,000.00

1991-92 APPROPRIATIONS SPENDING
LIMIT APPROVED

RESOLUTION NO. 91-119

CC-21(a)
CC-300

The subject of the 1991-92 appropriations spending limit was introduced by City Manager Peterson. Also addressing the City Council regarding the matter and responding to questions as were posed was Finance Director/Treasurer Robert Holm.

It was recommended that the City Council provisionally set the 1991-92 Appropriations Spending Limit at \$33,441,797 as calculated using:

1. The percentage increase in the California Per Capita Income; and

2. The greater of the percentage increase in the City's own population growth or the population growth of the entire San Joaquin County.

These figures were supplied by the California Department of Finance. The 1991-92 Appropriations Spending Limit may require adjustment if the County Assessor's Office provides data showing that percentage change in the local assessment roll from the preceding year due to the addition of local non-residential construction is greater than the percentage increase in the California Per Capita Income. The County does not have the ability to provide this information at this time.

Article XIIIB of the California State Constitution specifies that an annual Appropriations Spending Limit shall be established to place limits on the amount of revenue which can be spent by the City. In June, 1990, Proposition 111 was passed which modified the earlier Proposition 4 and the corresponding legislation regarding calculation.

The current legislation has changed the annual growth adjustment factors used in the calculation of the Appropriations Spending Limit. The City Council must choose between:

1. The population growth of the city; OR
2. The population growth within the County.

The recommendation of the Finance Department was to use the percentage which will result in the highest Appropriations Spending Limit. The population growth of the County is higher in fiscal year 1991-92. The population growth of the City was higher during fiscal years 1987-88 through 1990-91.

Currently, the County does not have the ability to provide the data for the change in non-residential assessment. Therefore, we have no choice but to use the California Per Capita Income as part of the calculation. In future years, the Council will also have to make a selection between these two items.

In calculating the 1991-92 Appropriations Spending Limit, the new growth factors were applied to the 1986-87 Appropriations Limit and each year thereafter. This did not change the limits for these years but allowed the accumulated growth in these years to be applied to the current year.

Discussion followed with questions being directed to Staff. On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council adopted Resolution No. 91-119 setting the 1991-92 Appropriations Spending Limit at \$33,441,797 as calculated using:

1. The percentage increase in the California Per Capita Income; and
2. The greater of the percentage increase in the City's own population growth or the population growth of the entire San Joaquin County.

ADOPTION OF 1991-92 OPERATING
BUDGET - URGENCY ORDINANCE

ORDINANCE NO. 1516

CC-21(b)
CC-149

The City Council continued its review of the 1991-92 Operating Budget.

Based on earlier discussions regarding the budget, the City Council considered each of the following:

1. Eliminate the City Newsletter - savings \$20,000
2. Increase funding for the Chamber of Commerce - \$13,000 General Fund Operating Reserve
3. Fund the Business Council - \$15,000 General Fund Operating Reserve
4. Increase the Transit Occupancy Tax to 9% - additional \$28,000
5. Provide funds for educational brochures at the Nature Interpretive Center at Lodi Lake Park - \$4,000 General Fund Operating Reserve
6. Purchase Flail Thatcher Deck - \$5,000 Equipment Fund
7. Radios for meter readers and account collectors - \$28,000 Workers Compensation Fund
8. Election Budget - \$13,125 General Fund Operating Reserve
9. Miscellaneous Equipment - \$2,640 Water & Wastewater Funds

1. Some members of the City Council have indicated a reluctance to appropriate \$36,000 for a community newsletter. If this item is removed, funds need to be restored to certain budget accounts to continue to promulgate information. The net savings will be approximately \$20,000.
2. The present budget includes \$12,000 for the Chamber of Commerce. The Chamber requested \$52,600. Some members of the Council have indicated a desire to increase the recommended level of funding for the Chamber. At least one figure mentioned was \$13,000. A \$13,000 additional appropriation would reduce the General Fund Operating Reserve.
3. The Business Council of San Joaquin County has asked the City to contribute \$30,000 into a plan to promote business and industrial growth in San Joaquin County. There are no funds for this purpose in the recommended 1991-92 Operating Budget. If Council wishes to make such a contribution it must come from the General Fund Operating Reserve.
4. An increase in the Transit Occupancy Tax from 6% to 9% would generate approximately \$28,000 of additional new revenue. The recommended budget includes an increase from 6% to 8% or \$48,000. The increase then would increase projected income by \$24,000.
5. The Parks Division requested a Park Ranger position to begin an Interpretive Program at Lodi Lake. Also included was approximately \$4,000 for office equipment, displays and brochures. Because we did not add the position we did not add funding for supplies. The program will go forward using existing staff and volunteers. The Lodi Rotary clubs are jointly refurbishing the concession stand at Lodi Lake to function as an Interpretive Center. The City Council may now appropriate the requested \$4,000. These funds would come from the General Fund Operating Reserve.
6. The Parks Division requested a Flail Thatcher for this year. It was not explained nor listed as a high priority item. During the past few months the Parks Division has been on a major water conservation area. The reduced water has exacerbated the need to remove thatch from park areas. The heavy buildup of thatch in grass areas reduces the amount of water reaching roots. This \$5,000 expenditure can come from the Equipment Fund.
7. An initial budget request was for a radio system for the meter readers and accounts collectors. These employees are the only field personnel without radios. The request was not included in the budget as the estimated cost was \$28,000. This price seemed excessive. That, and due to the budget crunch, we did not include this in the budget.

Subsequent to that, affected employees have reiterated the safety features of having the field forces equipped with radios. The City Safety Committee has reviewed this request and strongly recommends its inclusion.

We do feel we can reduce the price tag on this system by "piggy-backing" on an existing system. Because this is a safety item, we are short of funds and there is a small surplus in the Workers Compensation Fund - we fund safety programs from this fund - we recommend that we include the entire \$26,000 as equipment in the Workers Compensation Fund. When we have reviewed all the options we will present those to the City Council.

8. The City Clerk submitted a budget request for election in this budget year. The request was overlooked and not included. Funds in the amount of \$13,125 should be included in the 1991-92 budget as we will have expenses for the November 1992 election before July 1, 1992. This funding must come from the General Fund Operating Reserve.
9. The amount of \$2,640 for miscellaneous tools was not included in the Water/Wastewater Budget. Half of the funds should come from the water and half from the wastewater budget. There are sufficient reserves in both these funds to cover this additional cost.

On motion of Council Member Pennino, Hinchman second, the City Council by the following vote determined to retain funding included in the proposed budget for a City Newsletter:

Ayes: Council Members - Pennino, ~~Sieglock~~ ^{* PINKERTON (cm)}, Snider, and Hinchman (Mayor)

Noes: Council Members - ~~Pinkerton~~ ^{* SIEGLOCK (cm)}

Absent: Council Members - None

Mayor Pro Tempore Pinkerton expressed his feelings that after the mailing out of the third City of Lodi Newsletter, a telephone sampling should be undertaken. If the sampling doesn't show that the Newsletter have at least a 50% readership, it should be dropped.

On motion of Council Member Snider, Hinchman second, the City Council increased funding for the Chamber of Commerce - \$13,000 General Fund Operating Reserve. The motion carried by the following vote:

Ayes: Council Members - Pennino, Sieglock, Snider, and Hinchman (Mayor)

Noes: Council Members - Pinkerton

* AMENDED AT 8/1/91 MTG.

Absent: Council Members - None

On motion of Council Member Snider, Sieglock second, the City Council by unanimous vote approved funding in the amount of \$15,000 from the General Fund Operating Reserve for the Business Council of San Joaquin, Inc.

On motion of Council Member Snider, Hinchman second, the City Council, by unanimous vote approved funding for educational brochures at the Nature Interpretive Center at Lodi Lake Park at a cost of \$4,000 which will be allocated from the General Fund Operating Reserve.

On motion of Council Member Sieglock, Pennino second, the City Council by unanimous vote approved the purchase of a Flail Thatcher Deck in the amount of \$5,000 which funds are to be allocated from the Equipment Fund.

On motion of Council Member Pennino, Hinchman second, the City Council asked that a survey be conducted of NCPA cities as to whether or not radios are provided for their meter readers and account collectors and asked that the survey results be presented to the City Council at its July 17, 1991 meeting.

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council approved funding in the 1991/92 Budget for the November 1992 General Municipal Election in the amount of \$13,125 which funds are to be allocated from the General Fund Operating Reserve.

On motion of Mayor Pro Tempore Pinkerton, Hinchman second, the City Council approved the purchase of miscellaneous tools not included in the Water/Wastewater Budget in the amount of \$2,640 which funds are to be allocated from Water and Wastewater Funds.

On motion of Council Member Snider, Hinchman second, the City Council, by unanimous vote, adopted Urgency Ordinance No. 1516 as amended excluding the bulk power portion. Urgency Ordinance No. 1516 is entitled, "An Uncodified Urgency Ordinance of the Lodi City Council Adopting an Operating Budget for the Support of Various Departments of the City of Lodi and a Utility Outlay Budget for the Fiscal Year Beginning July 1, 1991 and Ending June 30, 1992".

Council Member Pennino abstained from discussion and acting upon the bulk power portion of the 1991/92 Operating Budget.

On motion of Council Member Snider, Hinchman second, the City Council, by the following vote, adopted the bulk power portion of the 1991/92 Operating Budget (Urgency Ordinance No. 1516 as amended entitled, "An Uncodified Urgency Ordinance of the Lodi City Council Adopting an Operating

Budget for the Support of Various Departments of the City of Lodi and a Utility Outlay Budget for the Fiscal Year Beginning July 1, 1991 and Ending June 30, 1992.")

Ayes: Council Members - Pinkerton, Sieglock, Snider,
and Hinchman (Mayor)

Noes: Council Members - None

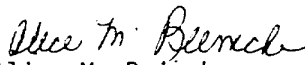
Absent: Council Members - None

Abstain: Council Members - Pennino

ADJOURNMENT

There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 10:25 p.m.

ATTEST:


Alice M. Reimche
City Clerk